

7616-57

9/16/2012

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

SEP 16 2012

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Cristina Griffin
Delta Analytical Corporation
12510 Prosperity Drive / Suite 160
Silver Spring, Maryland 20904

Subject: **Algy Bar 230**
EPA Registration No.: 7616-57
Application Date: August 14, 2012
Receipt Date: August 17, 2012

Dear Ms. Griffin:

This acknowledges receipt of your notification, submitted under the provision of PR Notice 98-10, FIFRA section 3(c) 9.

Proposed Notification:

- Correction from Agency's 6/28/12 letter
- Adding an ABN "Kem Tek Green Algaecide"
- Adding Language to Environmental Hazards section: clarify above and below 5 gallons and incorporate requirements
- Under Headings: "For Pools Having Just visible Algae Growth" and "Spas, Whirlpools.." delete the word "should" and use the work "Add" to make an affirmative statement

General Comment:

Based on a review of the material submitted as referenced above, your notification is acceptable and a copy has been inserted in your file for future reference.

Should you have any questions or comments concerning this letter, you may contact me by telephone at (703) 308-6416 or by e-mail at campbell-mcfarlane.jacqueline@epa.gov or Stacey Grigsby by telephone at (703) 305-6440 or by e-mail at grigsby.stacey@epa.gov during the hours of 8:00am to 4:00pm EST. When submitting information or data in response to this letter, a copy of this letter should accompany the submission to facilitate processing.

Sincerely,

Jacqueline Campbell
Product Manager (34)

CONCURRENTLY
Regulatory Management Branch II
Antimicrobials Division (7510P)

SYMBOL							
SURNAME							
DATE							

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	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number NOTIF
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Application for Pesticide - Section I

1. Company/Product Number 7616-57	2. EPA Product Manager Jacqueline Campbell	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) KIK Pool Additives Inc. / Algy Bar 230	PM# 34	
5. Name and Address of Applicant (Include ZIP Code) KIK Pool Additives Inc. c/o Delta Analytical Corp. 12510 Prosperity Drive, Suite 160 Silver Spring, MD 20904		6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____

Section - II

<input type="checkbox"/> Amendment - Explain below <input type="checkbox"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application. <input type="checkbox"/> Other - explain below.
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Explanation: Use additional page(s) if necessary. (For section I and Section II.)

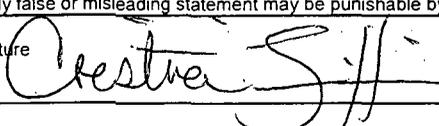
Notification per PR Notice 98-10 to make EPA requested changes to the label

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Section - III

1. Material this Product will be Packaged in:			
Child-Resistant Packaging <input checked="" type="checkbox"/> Yes* For retail <input type="checkbox"/> No * Certification must be submitted.	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," Unit Package wgt. No. per container	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," Unit Package wgt. No. per container	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify)
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) of Retail Container 1 qt., 1 gallon	5. Location of Label Direction <input checked="" type="checkbox"/> On Label or: <input type="checkbox"/> On Labeling accompanying product	
6. Manner In Which Label Is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled <input checked="" type="checkbox"/> Other: <u>Sleeve</u>			

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Cristina Griffin	Title Agent for KIK Pool Additives Inc.	Telephone No. (include Area Code) 301-680-7971
I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any kind of knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Agent for KIK Pool Additives Inc.	
4. Typed Name Cristina Griffin	5. Date August 14, 2012	



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August 14, 2012

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
One Potomac Yard
2777 S. Crystal Drive, Room S-4900
Arlington VA 22202

Attn: Jacqueline Campbell, PM 34

Re: Notification per PR Notice 98-10 to make EPA requested changes to the label
Product: Algy Bar 230, EPA Reg. No: 7616-57, Company: KIK Pool Additives Inc.

Dear Ms. Campbell:

On behalf of KIK Pool Additives Inc., I am submitting a notification per PR Notice 98-10 for the product label for Algy Bar 230, EPA Reg. No. 7616-57.

Background

On 3/28/12 we submitted an amendment to make label changes. You contacted me by phone in May to request that we make changes to the label we had submitted. On May 17, 2012, I sent revised labeling (dated 5/16/12) to you by e-mail incorporating your comments and making a couple other changes that had come to our attention. See the attached e-mail.

Unfortunately, EPA's approval of 6/28/12 used the old label dated 3/28/12, rather than the revised label dated 5/16/12, that incorporated the changes you requested.

We are making this notification to correct the error and ensure that EPA has the corrected labeling on file. The revised label enclosed is dated 8/8/12 and incorporates the following changes (changes are highlighted on the label):

- Page 1: Added an ABN "Kem Tek Green Algaecide" previously approved but never added to PPLS (original EPA approval letter attached).
- Page 2: Added language to the Environmental Hazards section to clarify above and below 5 gallons and incorporate requirements.
- Page 3: under headings "For Pools Having Just visible Algae Growth" and "Spas, Whirlpools..." deleted the word "should" and used the word "Add" to make an affirmative statement.

Enclosures

- EPA form 8570-1
- Copy of e-mail to Ms. Campbell, dated May 17, 2012
- 1 copy of the notification label dated 8/8/12 (changes highlighted)
- 1 copy of EPA approval letter dated 6/28/12
- 1 copy of EPA alternate brand name approval letter for "Kem Tek Green Algaecide"

If you have questions regarding this submission, please contact me at 301-680-7971 or cgriffin@delta-ac.com.

Sincerely,

Cristina Griffin, Agent for KIK Pool Additives Inc.

Enclosures

cc: Elvia Angulo, KIK Pool Additives
Justin Lowe, KIK

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ALGY BAR 230

[Previously approved Alternate Brand Names in EPA letter but didn't appear on EPA's label database]

Kem Tek Green Algaecide

[Previously approved Alternate Brand Names:]

Aqua Guard Green Algaecide

NOTIFICATION
Date Received: 8/6/12
Reviewed By: [Signature]

ACTIVE INGREDIENT:

Poly(oxyethylene(dimethyliminio)ethylene (dimethyliminio)ethylene dichloride).....	30.0%
INERT INGREDIENTS.....	70.0%
TOTAL.....	100.0%

KEEP OUT OF REACH OF CHILDREN

CAUTION

SEE BACK PANEL FOR FIRST AID STATEMENT AND OTHER PRECAUTIONS
[or SEE FIRST AID STATEMENT AND ADDITIONAL PRECAUTIONS ON BACK PANEL]

[the "See back panel..." may be omitted if all labeling is on the same panel, e.g., the kit box]

Net [Contents]: _____

[The following may appear in any appropriate place on the label:]

Manufactured by [for]:
KIK Pool Additives Inc.
5160 E. Airport Dr.
Ontario, Calif. 91761

*[Optional: Following may be included in addition to "Manufactured by [for]" address above: Distributed by
[or Sold by] [or Marketed by] Insert additional company name and address]*

EPA Reg. No. 7616-57
EPA Est. Nos.: 7616-CA-01

[Free Pool Care Advice 1-800-SOS-POOL • www.kem-tek.com]

[In the text "this product" or alternate brand name may be substituted for name] [[Information in brackets] is optional or instructional; italics in brackets indicate instructions not part of labeling.]

PRECAUTIONARY STATEMENTS
Hazards to Humans and Domestic Animals

CAUTION: Harmful if swallowed. Avoid breathing vapors. Avoid contact with skin, eyes, or clothing.
FIRST AID: Call a poison control center [(1-800-222-1222)] or doctor for treatment advice. Have the product container or label with you when calling poison control center or doctor, or going for treatment. **If swallowed:** Have person sip a glass of water if able to swallow. DO NOT induce vomiting unless told to do so by poison control center or doctor. Do not give anything by mouth to an unconscious person. **If in Eyes:** Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. **If on Skin or Clothing:** Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. **If inhaled:** Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration preferably mouth-to-mouth, if possible.

[First Aid may be in table form]

[For containers smaller than 5 gallons use the following:]

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish, aquatic invertebrates, and clams.

[In accordance with PR notice 95-1, use the following complete Environmental Hazards statement for containers 5 gallons and larger]

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish, aquatic invertebrates, and clams. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

[Optional Label Claims/location optional:] [Claims may be in upper or lower case]

- ABC Smart[er] [Pool Care] [System]
- Algae Care
- Concentrated
- Effective Treatment & Preventative
- For Green & Mustard Algae
- For Prevention And Treatment Of Mustard And Green Algae
- For Prevention And Treatment Of Mustard, Green, "Black" Algae
- For Spas and Hot Tubs
- For Winterizing Pool
- Helps Keep Pool Water Clear
- [Insert #]* Step Pool Care System
- Non-Foaming
- Part Of The Kem Tek Pool Care System
- Part Of The Simply Smart[er] [Pool] [Care] [System]
- Step *[insert #]*
- Suitable for All Pools
- Suitable for Closing / Opening Pool
- Suitable for Spas and Hot Tubs
- Swim After Use
- Use To Open / Close Pool
- Use Weekly

[In the text "this product" or alternate brand name may be substituted for name] [[Information in brackets] is optional or instructional; italics in brackets indicate instructions not part of labeling.]

DIRECTIONS FOR USE:

It is a violation of federal law to use this product in a manner inconsistent with its labeling.

ALGY BAR 230 is used to control the growth of algae in swimming pools, exterior spas, whirlpools, hot tubs, decorative fountains and ponds that do not contain fish. For maximum effectiveness: Clean heavy growth of algae prior to using ALGY BAR 230 in pools, spas, whirlpools, hot tubs, decorative fountains, and ponds that do not contain fish.

[Use one or more of the following sets of directions]

TO CLOSE POOL FOR WINTER: Add 23.5 to 36.4 fluid ounces of ALGY BAR 230 per 10,000 gallons. Operate the pump system 4-8 hours (minimum) after application.

FOR POOLS HAVING JUST VISIBLE ALGAE GROWTH: [or TO OPEN /CLOSE POOL] Add an initial dose of 23.5 to 36.4 fluid ounces of ALGY BAR 230 per 10,000 gallons of water and remove settled algae debris by cleaning. For treatment of freshly cleaned and filled pool add initially 12.8 to 23.5 fluid ounces of ALGY BAR 230 per 10,000 gallons of water. Add 4.3 to 8.6 fluid ounces of ALGY BAR 230 per 10,000 gallons every 5 to 7 days after initial treatment for maintenance.

SPAS, WHIRLPOOLS, HOT TUBS DECORATIVE FOUNTAINS AND PONDS HAVING JUST VISIBLE ALGAE GROWTH: Require an initial dose of 2 to 4 fluid ounces of ALGY BAR 230 per 1,000 gallons of water. For treatment of freshly cleaned and filled spas, whirlpools, hot tubs, decorative fountains or ponds add initially 1 to 2 fluid ounces of ALGY BAR 230 per 1,000 gallons of water. Add 0.5 to 0.8 fluid ounces of ALGY BAR 230 every 5 to 7 days after initial treatment for maintenance. ALGY BAR 230 is compatible with those chemicals normally used to treat pools and spas and is effective at both acid and alkaline pH. ALGY BAR 230 can be used in pools and spas treated with chlorine chemicals and may reduce the amount of those chemicals normally required. However, do not mix ALGY BAR 230 with concentrated dry or liquid chlorine products.

STORAGE AND DISPOSAL

STORAGE: Keep product in tightly closed container when not in use. Store in a cool, dry, well-ventilated area away from heat or open flame. **CONTAINER HANDLING:** Nonrefillable container. Do not reuse or refill this container. **IF EMPTY:** Place in trash [collection] or offer for recycling if available. **IF PARTLY FILLED:** Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

[In the text "this product" or alternate brand name may be substituted for name] [[Information in brackets [] is optional or instructional; italics in brackets indicate instructions not part of labeling.]

[Optional: Kit Label front panel]

[Brand name AQUA GUARD™ or Kem Tek™ may be used]
[optional]: 5-Step Pool Care System

SWIMMING POOL WINTERIZING KIT

For Closing Pool for the Winter
Algaecide – Shock – Metal Out
FREE POOL CARE ADVICE
1-800-SOS-POOL

[this information may be on another panel]

Net Contents:

- ___ Qts [or Gal]
 [insert ABN for 7616-57]
- ___ Lbs.
 [insert ABN for 7616-78]
- ___ Gal: **Aqua Guard Metal Out**
 [Non-EPA registered product; may substitute
 name for same product]

KEEP OUT OF REACH OF
CHILDREN
NO SE DEJE AL ALCANCE DE LOS
NIÑOS

DANGER

See back and side panels and individual
containers for first aid statements
and other precautions

[Note: Kit is to include EPA Reg. No. 7616-57 and 7616-78 labels fully visible on outside kit box as well as on the corresponding container inside the box.]

[Optional: Kit Label]

[The following may placed on front, side, or back panel of box and/or as an insert]

STEPS FOR USING WINTERIZING KIT:

- (1) Clean pool by skimming, brushing and vacuuming thoroughly.
- (2) Add Aqua Guard Metal Out [for similar brand name for non registered product] per dosage in directions for use.
- (3) Balance pool water. Adjust pH to 7.2- 7.6. Adjust Alkalinity to 80-120ppm.
- (4) Shock (superchlorinate) pool. Follow [insert ABN for EPA Reg. No. 7616-78] dosage in directions for use.
- (5) Allow the chlorine level to drop below 5.0 ppm before adding algaecide and using pool cover.
- (6) When chlorine level reaches 3 ppm, add [insert ABN for EPA Reg. No. 7616-57] per dosage in directions for use.
- (7) Lower pool water level 12" - 18" below the skimmer for mesh covers and 3" - 6" below the tile for solid, floating covers.
- (8) Winterize the pool plumbing and equipment properly according to region weather and manufacturer's instructions.

[The following information may be used on the insert or panel containing this information, location optional]

**SWIMMING POOL
WINTERIZING KIT**
For Closing Pool for the Winter
Algaecide – Shock – Metal Out
FREE POOL CARE ADVICE 1-800-SOS-POOL

[The following may appear in any appropriate place on the box label or on the insert:]

Manufactured by [for]:
KIK Pool Additives Inc.
5160 E. Airport Dr.
Ontario, Calif. 91761

[Optional: Following may be included in addition to "Manufactured by [for]" address above: Distributed by [or Sold by] [or Marketed by] Insert additional company name and address]

[In the text "this product" or alternate brand name may be substituted for name] [[Information in brackets] is optional or instructional; italics in brackets indicate instructions not part of labeling.]